IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

BIG HART MINISTRIES ASSOCIATION INC. a/k/a BIG HEART MINISTRIES,	§ §	
et al.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 3-07-CV-
	§	00216
	§	
CITY OF DALLAS,	§	
	§	
Defendant.	§	

PLAINTIFFS BIG HART MINISTRIES ASSOCIATION INC. ET AL.'S RESPONSE TO CITY OF DALLAS' MOTION FOR SUMMARY JUDGMENT

Big Hart Ministries Association Inc. ("Big Hart"), Rip Parker Memorial Homeless Ministry ("RPMHM"), and William Edwards ("Edwards") (collectively "Plaintiffs") file this Response in Opposition to the City of Dallas' ("the City") Motion for Summary Judgment ("the Motion"). The Motion's utter failure to identify portions of the record supporting the City's arguments mandates that the Court deny the Motion. Furthermore, summary judgment is not warranted because, for each claim, Plaintiffs can prove they will prevail at trial or genuine issues of material fact exist. For these and the other reasons stated in Plaintiffs' brief in support of this response, this Court should deny the City's Summary Judgment Motion in its entirety.

DATED: November 5, 2010 Respectfully,

By: s/ Deidra Penny
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and William Edwards

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule 5.1(a). As such, this document was served on all counsel who are deemed to have consented to electronic service.

s/ Deidra PennyDeidra Penny, Attorney for Plaintiffs